

Navy Region III REC Update April, 2001 COMNAVREG MIDLANT Norfolk



The REC Update presents monthly highlights of environmental news and activities relevant to DOD environmental management in Region III. New legislation, emerging state regulations, program developments, outcomes of litigation, and announcements of conferences and training events will be covered. To submit information for inclusion in the REC Update, contact Lisa Billow, 757-444-3009, ext. 371, e-mail billowl@pwcnorva.navy.mil. The REC Update is posted on DENIX. It is in News and Publications, listed under the NAVY heading of Proprietary Publications on the DOD page. The URL is <http://www.denix.osd.mil/denix/DOD/News/NAVY/REC/rec-update.html>. You will need a DENIX account to access this page. To obtain a DENIX account, go to the DENIX Home Page at <http://www.denix.osd.mil>.

What is the DOD Regional Environmental Coordinator?

DODINST 4715.2 defines the role of the DOD Regional Environmental Coordinator (REC) and defines its responsibilities. The RECs are to:

- monitor and coordinate consistent interpretation and application of DOD environmental policies within its region.
- monitor Federal, state, and local environmental issues, legislative, regulatory, and enforcement issues
- coordinate with the component RECs to articulate DOD positions on proposed regional, state and local issues.

Some examples of situations possibly needing REC involvement: first time permits, negotiating new permit requirements, new environmental legislation/regulations, developing state/regional emission budgets, etc. Our readers can assist the REC in its mission, by contacting us at 757-444-3009 ext. 369 when issues arise at your facility that may potentially impact more than just your facility.

FEDERAL LEGISLATIVE AND REGULATORY NEWS

Bush Delays Effective Date of Clinton Rules

In a memorandum to all federal agencies, President Bush asked that the effective date of all published regulations be "temporarily" postponed until they can be reviewed by the new administration. Sixteen proposed and final rules were withdrawn by the Environmental Protection Agency for review Feb. 14 and 15. After Bush administration review, EPA Administrator Christie Whitman directed the agency to implement the March 19 effective date for a final rule cutting sulfur in diesel fuel and limiting emissions from heavy-duty diesel engines.

EPA Rule Modifies Definition of Discharges of Dredged Material

A loophole that may have allowed for as many as 20,000 acres of wetlands to be drained over two years is closed by a final rule announced by EPA. The rule, which was issued jointly by EPA and the U.S. Army Corps of Engineers, modifies the definition of "discharge of dredged material" in a way that is consistent with a 1998 district court ruling vacating the so-called Tulloch rule, EPA says. In accordance with the Presidential memorandum of January 20, 2001 (66 FR 7701), this final rule titled "Further Revisions to the Clean Water Act Regulatory Definition of Discharge of Dredged Material," (January 17, 2001, 66 FR 4549) was temporarily delayed until an effective date April 17, 2001.

Heavy-Duty Engine and Vehicle Standards and Highway Diesel Fuel Sulfur Control Requirements

EPA is announcing adoption of heavy-duty engine standards and diesel sulfur standards that will be phased in starting in 2007. EPA is finalizing a PM emissions standard for new heavy-duty engines of 0.01 grams per brake-horsepower-hour (g/bhp-hr), to take full effect for diesels in the 2007 model year. EPA is also finalizing standards for NOx and non-methane hydrocarbons (NMHC) of 0.20 g/bhp-hr and 0.14 g/bhp-hr, respectively. These NOx and NMHC standards will be phased in together between 2007 and 2010, for diesel engines. The phase-in will be on a percent-of-sales basis: 50 percent from 2007 to 2009 and 100 percent in 2010. Gasoline engines will be subject to these standards based on a phase-in requiring 50 percent compliance in the 2008 model year and 100 percent compliance in the 2009 model year. The rule revises the definition of diesel fuel so that JP-5 and JP-8 military fuel that is used or intended to be used in highway diesel motor vehicles will be subject to requirements contained in this rule. However, the rule does exempt JP-5 and JP-8 from these requirements if the fuel is used in tactical military vehicles that have a national security exemption or are not covered by a national security exemption but for national security reasons need to be fueled on the same fuel as motor vehicles with a national security exemption.

Williamsburg Naval Station Added to EPA Hazardous Site List

The U.S. Environmental Protection Agency added the Naval Weapons Station Yorktown - Cheatham Annex facility to the Superfund National Priorities List (NPL). The Cheatham Annex facility is located outside of Williamsburg, in York County, Va. Cheatham Annex is a transfer site for packing and shipping materials to federal facilities on the East Coast and major distribution centers in Europe. During World War I, prior to Navy ownership, a portion of the current Navy property was occupied by DuPont's Penniman Shell Loading Plant. Areas of concern at the site include waste sources associated both with DuPont's and the Navy's operations. Contaminants such as metals and semi-volatile organic compounds could spread into adjacent surface waters, some of which are used for recreational

fishing. The Cheatham Annex facility is affiliated with the adjacent Naval Weapons Station Yorktown, which is already an NPL site. The Navy will address the Cheatham Annex site under the current agreement for the Naval Weapons Station Yorktown site.

Coastal Zone Management Act Federal Consistency Regs Finalized

NOAA has finalized revisions to the regulations at 15 CFR Part 930 implementing the federal consistency provision of the Coastal Zone Management Act of 1972 (CZMA). The final rule codifies 1990 and 1996 statutory changes to the CZMA. Any Federal agency activity (regardless of its location) is subject to the consistency requirement if it will affect any natural resources, land uses, or water uses in the coastal zone. Changes include:

- addition of public notice and participation requirements (not required for negative determinations),
- clarification that Federal consistency requirement applies only to consistency with enforceable state policies,
- provision for Federal and State agencies to mutually agree to consistency procedures different from those in the regulations,
- definitions and examples of actions having an "effect on any coastal use or resource."

The following examples of coastal uses have been added:

- resource creation or restoration projects, including tidal and non-tidal restoration and creation,
- protection of historic and cultural resources of the coastal zone,
- enjoyment or use of natural resources through aesthetics or scenic values

Land, air, and invertebrates have been added to examples of resources. "Minerals" has been added to include both surface and subsurface mineral resources. This final rule was effective January 8, 2001.

Draft Bill Would Wipe Out DoD's Immunity from Environmental Laws

Rep. Bob Filner (D-CA) is drafting legislation to require the Department of Defense (DOD) to comply with all federal and state environmental laws to the same extent as other entities, wiping out any sovereign immunity the military still retains under some of these laws. The bill, as currently drafted, would revoke all exemptions DOD has both within the United States and abroad that allows the military to bypass federal and state environmental laws. The proposed legislation would also subject the military to the enforcement provisions of these laws, and mandate compliance with both substantive and procedural requirements, according to the draft. These would include compliance with all civil and administrative penalties and fines -- an area the military has fought against in certain cases -- and would require the payment of permit fees and other similar service charges. For the complete story visit Inside EPA Dec. 1 at website: <http://www.denix.osd.mil/denix/DOD/News/Pubs/EPA/01Dec00/all.html>.

Final Rule on Protection of Historic Property

The Advisory Council on Historic Preservation has re-issued its regulations at 36 CFR Part 800 governing how Federal agencies consider the effects of their undertakings on historic properties. The regulations were issued in

response to a legal procedural challenge and generally contain only minor changes from those issued in May of 1999. Several changes primarily provide clarification of roles and responsibilities. A new section 800.14(b)(4) allows the Advisory Council on Historic Preservation to create "prototype programmatic agreements." Such prototype agreements may be used for the same type of program or undertaking in more than one case or area, and may be executed by a Federal agency and state (or tribal) historic preservation officer (SHPO/THPO) without Council participation. Section 800.8(c)(4) was re-written to more clearly state the actions necessary to use the commitments in NEPA documents for avoidance or mitigation of adverse effects on historical properties and thus use the NEPA process to comply with Section 106 requirements. This final rule was effective January 11, 2001. Informational materials about the new rule will be posted at <http://www.achp.gov> as they are developed.

NMFS Accommodates Navy Regarding Impact of Shock Testing to Marine Mammals

National Marine Fisheries Service has proposed regulations that would provide for incidental taking of marine mammals during shock testing of the USS Winston S. Churchill (DDG-81) in the offshore waters of the Atlantic Ocean off either Mayport, FL, or Norfolk, VA or the offshore waters of the Gulf of Mexico off Pascagoula, MS. NMFS responses to comments received in response to the Navy's application include discussion of the level of harassment represented by exposure of marine mammals to sound loud enough to cause a temporary hearing shift. NMFS is supportive of the Navy's position.

Navy Implementing Executive Order Addressing Migratory Bird Issue

The Navy environment office has issued a memo that requires the Navy and Marine Corps to adopt practices that will minimize the number of migratory birds they unintentionally kill or harm during the course of military activities. The Jan. 19 memo implements an executive order signed by President Clinton in his final days in office. Under the Jan. 10 Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, federal agencies must further implement the Migratory Bird Treaty Act (MBTA). One of the major responsibilities federal agencies must undertake under the order is to enter into a memorandum of understanding (MOU) within two years with FWS "that will promote the conservation of migratory bird populations," the order says. The military's reporting and oversight requirements could increase, as could costs to collect data and meet other compliance requirements, according to a military source. The order shifts the responsibility for migratory bird conservation and management from the U. S. Fish & Wildlife Service (FWS) to other agencies, the source says. The source adds that it could limit, to a certain degree, the military's ability to fully use its lands for military uses. For more information visit DENIX website Defense Environment Alert, Feb 13, 2001.

INRMPS and Associated NEPA Documentation to Be Completed By 17 Nov 2001

Implementation of Integrated Natural Resource Management Plans (INRMPS) and associated NEPA documentation on applicable DOD installations are required by 17 November 2001. Recent increases in critical habitat designations by the U.S. Fish and Wildlife Service (USFWS) under the Endangered Species Act threaten the ability of the military services to conduct readiness essential training and other operations. USFWS has, however, demonstrated a

willingness to forego such designations relative to lands covered by legally sufficient INRMPS. For information contact: Joe Hautzenroder, Director, Natural Resources Program NAVFAC-ENN, Phone: 202-685-9331, FAX: 202-685-1670.

EPA Sets First-Ever Water Quality Criteria for Nutrients

EPA is taking a significant step to protect waters from excessive nutrients that can choke waterways and lead to algae blooms, including Pfiesteria and red tide, resulting in fish kills and potentially harmful human health effects. For the first time, the agency is setting water quality criteria which serve as recommendations to states and tribes for water quality standards for nutrients, including nitrogen and phosphorous. States are expected to adopt or revise their nutrient standards by 2004, based on the new criteria. Additional information is available at EPA's Office of Water website at: <http://www.epa.gov/ost/criteria/methylmercury> and <http://www.epa.gov/ost/standards/nutrient.html>.

NESHAP Revised for Aerospace Manufacturing/Rework Facilities

The EPA published in the Dec. 8 Federal Register the final rule amending regulations under 40 CFR 63.742 and 63.745 to revise the NESHAP for aerospace manufacturing and rework facilities. The rule adds a separate emission standard for exterior primers used for large commercial aircraft components (parts or assemblies) or fully assembled large commercial aircraft at existing facilities that produce fully assembled large commercial aircraft. The rule was effective Dec. 8, 2000. Contact: Jaime Pagan; EPA, Emissions Standards Division; 919-541-0942 For complete text see: <http://www.epa.gov/fedrgstr/EPA-AIR/2000/December/Day-08/a31331.htm>.

Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Solid Waste Incineration Units

The EPA promulgated standards and guidelines for new and existing commercial and industrial solid waste incineration units. These standards and guidelines fulfill the requirements of sections 111 and 129 of the Clean Air Act, which require us to promulgate standards and guidelines for Commercial and Industrial Solid Waste Incinerator (CISWI) units. The final standards and guidelines will protect public health by reducing exposure to air pollution, including several hazardous air pollutants that can cause toxic effects such as eye, nose, throat, and skin irritation; reproductive effects; and cancer. These standards and guidelines apply only to CISWI units burning nonhazardous wastes. EFFECTIVE DATE: January 30, 2001. For complete text go to: <http://www.epa.gov/fedrgstr/EPA-AIR/2000/December/Day-01/a29875.htm>

Court Cases

Supreme Court Strikes ACOE Wetlands Authority on Statutory Grounds

The U.S. Supreme Court Jan. 9 ruled to significantly scale back the federal government's power to regulate

wetlands, ruling that the Clean Water Act does not provide EPA and the Army Corps of Engineers with the authority over isolated wetlands. Observers say the ruling -- in Solid Waste Agency of Northern Cook County v. Army Corps of Engineers -- may also have a significantly broader impact on EPA's and the Corps' ability to regulate isolated water bodies, though the court did not go as far as some observers had predicted by limiting agencies' abilities to invoke the Commerce Clause to regulate intra-state wetlands. The court's 5-4 ruling held that the Corps' decision to deny a wetlands dredge and fill permit for a disposal site on isolated wetlands "exceeds the authority" granted the agency under section 404 of the Clean Water Act. The full text of the court's opinion is available on InsideEPA.com. January 10 report accessed through DENIX.

Supreme Court Upholds EPA CAA Standards

On 27 Feb 2001, the U.S. Supreme Court issued their opinion in the Clean Air Act (CAA) case, Whitman vs. American Trucking Associations, Inc, et al, handing an important victory to EPA. The court held that 1) costs may not be considered in setting the National Ambient Air Quality Standards (NAAQS); 2) Section 109(b)(1) of the CAA does not unconstitutionally delegate legislative power to the EPA; 3) that EPA implementation policy published along with the final NAAQS was a final agency action and thus reviewable; and 4) the implementation policy is unlawful as an unreasonable agency interpretation of the statute. The opinion was unanimous with no dissent. The court seemed to quite easily dispose of both the cost and delegation issues. The cost analysis relied heavily on the text of the CAA itself. The NAAQS provisions do not contain any explicit reference to consideration of cost and the court refused to infer any. The issue that seemed to give the court the most trouble was the implementation policy dispute. The Court found that the implementation policy published by EPA along with the final NAAQS was final agency action and could be reviewed. It was clear that the implementation policy was the "consummation of the agency decision making process" on that matter. Here is where things get difficult even for the most ardent CAA specialists. For a copy of the complete discussion and analysis of this important court decision prepared by Alison Ling go to <http://denix/dod/working/CAASSC/ozone/ozone.html>.

Getting Ready for West Nile Virus

As mosquito season draws closer, many installations are considering larvaciding-i.e., spraying a pesticide registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 USC 136 to 136y, to destroy mosquito larvae before they hatch. Many states regulate the use of pesticides in water as pollutants and require a state water permit before such pesticides may be applied. The State FIFRA Issues Research and Evaluation Group (SFIREG) Working Committee on Water Quality and Pesticide Disposal questioned the adequacy of the federal pesticide law following an October 2000 survey of states on their regulation of pesticides applied to water. The survey of the 50 states found that 31 of them require additional regulation of aquatic pesticides, beyond federally established labels, to protect water quality. An Environmental Protection Agency workgroup on surface water coordination will study how permitting for discharges into water relates to pesticide applications. For the past eight months, the workgroup has been studying conflicts, gaps, and overlaps in pesticide and water statutes and programs, according to Arty Williams of EPA's Office of Pesticide Programs. The workgroup may study how permitting relates to direct pesticide

applications to water, indirect applications to water, and what programs and policies need to be in place, Williams said. In *Headwaters v. Talent Irrigation District (TID)*, No. 99-35373 (9th Cir. Mar. 12, 2001) (<http://laws.findlaw.com/9th/9935373.html>), the court held that registration under FIFRA does not obviate the need for a state National Pollutant Discharge Elimination System (NPDES) permit. TID had applied an aquatic herbicide to control the growth of vegetation in its irrigation canals. The herbicide contained acrolein, an acutely toxic chemical. It did not help the situation that, the next day, the Oregon Department of Fish and Wildlife found a bunch of dead fish in a nearby creek and downstream from a leaking irrigation canal gate.

STATE NEWS

EPA Approves Revisions to State Implementation Plans For Pennsylvania, Virginia, Maryland, and D.C.

EPA is taking direct final action on revisions to the Commonwealth of Pennsylvania's State Implementation Plan (SIP). The revisions establish and require reasonably available control technology for 56 major sources of volatile organic compounds and nitrogen oxides. EPA approved two SIP revisions submitted by the Commonwealth of Virginia. The intended effect of this action is to approve permits issued by Virginia for the Potomac Electric Power Company, Potomac River Generating Station and the Virginia Power, Possum Point Generating Station. These permits impose conditions which reduce nitrogen oxides emissions from facilities during the ozone season (May 1-September 30) of each year. The resulting NOX emission reductions are strengthening measures for the Metropolitan Washington, DC ozone nonattainment area's attainment plan and are necessary for full approval of the attainment demonstration SIP for this ozone nonattainment area. Final rule of the EPA amends regulations under 40 CFR 52.2420, Subpart VV to approve revisions to the Virginia SIP that establish and require the use of RACT to control VOC emissions from 16 major sources in the state. EPA approved a SIP revision submitted by the State of Maryland. The revision consists of amendments to Maryland's Nitrogen Oxides Budget Program. The revisions implement the Ozone Transport Commission's September 27, 1994 Memorandum of Understanding in Maryland. In accordance with the MOU, the revisions implement the Maryland portion of a regional NOX cap and trade program that significantly reduces NOX emissions generated within the Ozone Transport Region. EPA is approving a SIP revision submitted by the State of Maryland to satisfy EPA's regulation entitled, "Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone," otherwise known as the "NOX SIP Call." This revision establishes and requires a nitrogen oxides allowance trading program for large electric generating and industrial units, and reductions for cement kilns and stationary industrial combustion engines, beginning in 2003. The intended effect of this action has two purposes. EPA is approving the Maryland's NOX Reduction and Trading Program because it meets the requirements of the NOX SIP Call that will significantly reduce ozone transport in the eastern United States. In addition, EPA is approving Maryland's NOX Reduction and Trading Program because it supports the one-hour attainment demonstration plans for the Baltimore, Metropolitan Washington, D.C. and Philadelphia-Wilmington-Trenton ozone nonattainment areas. Final rule of the EPA amends regulations under 40 CFR 52.1070 to approve a revision to the Maryland SIP regarding new source review. The revision revises NSR permitting requirements for

major new sources and major modifications to existing sources of volatile organic compounds and nitrogen oxides. Final rule of the EPA amends regulations under 40 CFR 52 to approve revisions to the District of Columbia, Maryland, and Virginia SIPs regarding the post-1996 rate-of-progress plans with transportation control measures and the one-hour ozone attainment demonstration SIP for the metropolitan Washington, D.C., serious nonattainment area. The rule also extends the area's attainment date from Nov. 15, 1999, to Nov. 15, 2005

VIRGINIA NEWS

Virginia is developing a regulatory proposal to amend Hazardous Waste Management Regs 9 VAC 20-50-10. The REC participated in Technical Advisory Committee for the development of the proposal. Proposed amendments to the regulations will incorporate federal regulatory text into the Commonwealth's regulations and maintain consistency between the Commonwealth and federal regulations, and maintain or improve the department's authorization for the federal RCRA program. If you have any concerns contact Chris Porter at: 757-444-3009, ext. 382; or porterch@pwcnorva.navy.mil. The EPA announced tentative approval of revisions to Virginia's public water system supervision primacy program. The revisions address the state's adoption of the consumer confidence report standards requiring annual drinking water quality reports from community water suppliers. The agency has determined that the provisions are no less stringent than the federal standards and satisfy the federal requirements. The action was effective Feb. 5, 2001. Contact: Patti Wisniewski; EPA Region III, Drinking Water Branch; (215-814-5668)

DISTRICT OF COLUMBIA NEWS D.C. Aims To Reduce Engine Idling

With ozone season approaching, the D.C.'s Environmental Health Department will begin enforcing regulations to reduce excessive vehicle engine idling. The Council of D.C. passed an emergency regulation increasing the fine for excessive idling to \$500 for a first offense. The regulation states that vehicles shall not idle for more than three minutes while stopped, standing or parked. There are exemptions for operating air conditioning equipment on buses with passengers on board. Although the enforcement effort is targeted towards buses, trucks, and taxis near tourist attractions and hotels, the law applies to any organization that owns or operates a vehicle.

MARYLAND NEWS

MDE posts its finalized 2001 standard permit application turnaround times

The Maryland Department of the Environment established standard turnaround times for all types of MDE permits, licenses and certifications. The standards refer to the time between MDE's receipt of a complete permit application and MDE's issuance or denial of the permit, excluding delays caused by factors beyond MDE's control. Many applications are incomplete when they first arrive at MDE. The Environmental Permits Service Center or the appropriate MDE permit writer can provide guidance to ensure an application is complete. Many delays are beyond MDE's control such as receiving necessary approvals from local or federal government agencies. The standard time represents the time 90 percent of applications can be processed.

Maryland Department of the Environment

Standard Permit Application Turnaround Times for 2001

Air and Radiation Management Administration

General Permit to Construct --30 days

Air Quality Permit to Construct

--w/o expanded public review --3 months

--w/expanded public review but limited public interest--6 months

--w/expanded public review and extensive public interest--11 months

New Source Review Approval--10 months

Prevention of Significant [air quality] Deterioration--14 months

Air Quality State Permit to Operate--3 months

Part 70 (Title V) Permit to Operate

-36 months for new permits

-18 months for renewals and modifications

Asbestos Contractor License--60 days

Asbestos Training Provider Approval--3 months

Incinerator Operator Certification--30 days

Incinerator Training Course Approval--60 days

Fleet Inspection Station License--30 days

Certified Emissions Repair Facility Certification--30 days

Master Certified Emissions Technician Certificate--30 days

Radiation Machine Facility Registration

--90 days for dental/veterinary machines

--6 months for all other machines

Certification of Machines Emitting Radiation--6 months

Radioactive Materials License

--7 months

--45 days for amendments and terminations

Private Inspector License For Inspecting X-Ray Machines--60 days

Reciprocal Recognition of Out-of-State Radioactive Material Licenses--21 days

Waste Management Administrator

State Refuse Disposal Permit

--7 months for transfer stations

--9 months for processing facilities

--9 months for processing facilities & transfer stations

--12 months for incinerators

--12 months for land-clearing debris landfills

--24 months for industrial landfills

--36 months for rubble landfills

--36 months for municipal landfills

Groundwater Discharge Permit for Rubble Landfill--6 months

Sewage Sludge Utilization Permit

--45 days - research

--4 months - transportation*

--5 months - landfill disposal

--6 months - distribution

--10 months - land application

--23 months - permanent facility

--23 months - incineration

--24 months - innovation

Natural Wood Waste Recycling Facility Permit--9 months

Natural Wood Waste Recycling Facility General Permit--30 days

Scrap Tire Hauler--60 days

Scrap Tire Collection Facilities (General and Secondary)--60 days

Scrap Tire Solid Waste Acceptance Facility--7 months

Scrap Tire TDF/Substitute Fuel Facility--7 months

Scrap Tire Primary Collection Facility--9 months

Scrap Tire Recyclers--9 months

Oil Operations Permit--90 days

Oil Operations Permit for Oil-Contaminated Soils--90 days

Oil Transfer License--30 days

General Permits for Oil Control Program Wastewater Discharge Permit20 days

Surface Water Discharge Permit for Oil Terminals--150 days*

Ground Water Discharge Permit for Oil Terminals--150 days*

Underground Storage Tank (UST) Technician and Remover Certification

--20 days

Controlled Hazardous Substances Facility Permit--26 months

Hazardous Waste; EPA Identification Number--30 days

Controlled Hazardous Substances Hauler, Vehicle and Driver Certification
--30 days

Special Medical Waste (SMW) Hauler and Vehicle Certification--30 days

Lead Paint Accreditations--30 days

Lead Paint Training Course Approvals--60 days

Lead Paint Instructor Approvals--30 days

Voluntary Cleanup Program

--60 days to determine if application is accepted

--120 days to review action plan*

Water Management Administrator

General Permit Registration for Industrial Wastewater Discharge

--150 days for concentrated animal feeding operations

--60 days for all other general permits

Individual Permit for Wastewater Discharges

--9 months for new minor facilities

--12 months for new major facilities

--14 months for renewal minor facilities

--16 months for renewal major facilities

Toxic Materials Permit--45 days

Water and Sewerage Construction Permit--3 months

Water Appropriation and Use Permit

--60 days for under 10,000 gallons per day

--12 months for over 10,000 gallons per day

Coal Mining Permit--12 months

Surface Coal Mining Blaster Certification--immediately on passing exam

Coal Mining Operator License--30 days

Non-Coal Mining Permit--7 months

Non-Coal Mining License--30 days

Oil and Gas Exploration and Production--5 months

Well Construction Permit--30 days

Drinking Water Sampler Certification--immediately on passing exam

Nontidal Wetlands (Nontidal Wetlands and Waterways Permits)

--3 months for minor projects

--6 months for major projects

Tidal Wetland Licenses and Permits

--30 days for minor projects

--6 months for major projects

Erosion/Sediment Control and Stormwater Management Plan Approvals

--6 months

Erosion and Sediment Control - Responsible Personnel Certification--2 weeks

Erosion and Sediment Control - Responsible Personnel Training Program

Approval--4 weeks

General Permit for Construction Activity--2 days

Municipal Separate Storm Sewer Permit--12 months

Dam Safety Permit--6 months

Environmental Sanitarian License

--45 days for new licenses

--30 days for renewals

Waterworks and Waste Systems Operator Certification

--45 days for new certificates

--30 days for renewals

Well Driller License

--6 months for new licenses

--30 days for renewals

*MDE is correcting the permit turnaround time for Sewage Sludge

from three months to four months; this turnaround time was changed in

error in the table published last year. MDE is also restating the permit

turnaround time in days instead of months for the following permit types,

the voluntary cleanup program - action plan review and the water discharge

permits (surface and ground) for oil terminals. These times have not changed.